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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/684,808 | 10/06/2000 | Sean Hu | PSTM0008/MRK | 1916 |

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| EXAMINER | |
|---|---|
| CUFF, MICHAEL A | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3627 | |

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/684,808 | HU ET AL. | |
| | Examiner | Art Unit | |
| | Michael Cuff | 3627 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *21 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-5,7-11 and 13-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-11 and 13-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koenck et al. in view of "How computers Work".

Koenck et al. shows all of the limitations of the claims except for specifying receiving configuration data and exchanging other communication data from a peripheral piece of equipment (specifically, a digital scale).

Koenck et al. shows, figures 1 and 8, a portable measuring devices, which communicate by low power transceivers through a communication controller with a printer device to collect weight and size data on articles to be shipped. The collected weight and size data are combined with origin and destination data, and labels are printed bearing pertinent shipping and routing information in machine-readable format. The recorded weight is further communicable by digital signal transmissions (column 11,lines 8-9, receive weight). There are a plurality of communication devices 18 (client computer device), which include computers and communicate via transmission link 19 (global communication network) with a host computer 11 (shipping management computer) and data terminals, which including digital scale 36. Software instructions are inherent. The recorded weight is further communicable by digital signal

transmission (receiving weight at client computer device). The communication devices 18 each contain a microprocessor 29. The microprocessor 29 typically responds by identifying an address or instructional code, storing the address or instructional code and the received data codes, storing the memory addresses of stored information, and by acting on instructions to assemble data message and send such assembled data message to an assigned device (inherently, in "an assigned device" the system has identification information including make and model because the system needs to know the correct protocols that the device).

"How Computers Work" teaches, pages 214 and 215, how computer ports communicate with peripheral equipment, including receiving configuration data and exchanging other communication data from a peripheral piece of equipment in order to be able to work together. See step #8 p. 215 of "How computers Work".

Based on the teaching of "How Computers Work", it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Koenck computer system to further specify how communication works in its computer system in order to better show how the parts of the computer system work together.

Claims 7-11, and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koenck et al.

Koenck et al. shows all of the limitations of the claims except for specifying receiving configuration data, via browser software or hyper-media content, and

exchanging other communication data from a peripheral piece of equipment (specifically, a digital scale).

Koenck et al. shows, figures 1 and 8, a portable measuring devices, which communicate by low power transceivers through a communication controller with a printer device to collect weight and size data on articles to be shipped. The collected weight and size data are combined with origin and destination data, and labels are printed bearing pertinent shipping and routing information in machine-readable format. The recorded weight is further communicable by digital signal transmissions (column 11,lines 8-9, receive weight). There are a plurality of communication devices 18 (client computer device), which include computers and communicate via transmission link 19 (global communication network) with a host computer 11 (shipping management computer) and data terminals, which including digital scale 36. Software instructions are inherent. The recorded weight is further communicable by digital signal transmission (receiving weight at client computer device). The communication devices 18 each contain a microprocessor 29. The microprocessor 29 typically responds by identifying an address or instructional code, storing the address or instructional code and the received data codes, storing the memory addresses of stored information, and by acting on instructions to assemble data message and send such assembled data message to an assigned device (inherently, in "an assigned device" the system has identification information including make and model because the system needs to know the correct protocols that the device).

"How Computers Work" teaches, pages 214 and 215, how computer ports communicate with peripheral equipment, including receiving configuration data and exchanging other communication data from a peripheral piece of equipment in order to be able to work together. See step #8 p. 215 of "How computers Work".

Based on the teaching of "How Computers Work", it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Koenck computer system to further specify how communication works in its computer system in order to better show how the parts of the computer system work together.

Underwood teaches a web-base e-commerce architecture. From column 309, lines 20-25, "Today's internetwoking environment requires connections from the corporate network to a variety of resources. These include clients and partners, vendors and suppliers, the Internet and remote users, just to name a few. This interconnectivity leads to complex security issues that need to be addressed."

Based on the teaching of Underwood, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Koenck communication system to incorporate a web-based architecture (includes browser software) in order to improve security between component resources of the system.

### *Response to Arguments*

Applicant's arguments with respect to claims 1-5 are not persuasive.

Applicant asserts that the input is not from "a first user". The examiner does not concur. Because the claim is so vague, just the plugging in of the device followed by the "Plug and Play" technology. Meets the metes and bounds of the limitations.

Applicant's arguments with respect to claims 7-11 and 13-18 have been considered but are moot in view of the new ground(s) of rejection.

The Bowles reference was a cut and paste typographical error, which has been corrected.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Cuff whose telephone number is (571) 272-6778. The examiner can normally be reached on 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Cuff 5/1/06

Michael Cuff
May 1, 2006